

June 6, 1991

REPORT TO THE HONORABLE
MAYOR AND CITY COUNCIL

DRUG ABATEMENT RESPONSE TEAM (DART) - FISCAL YEAR 1992

BACKGROUND

As part of your budget deliberations today, you are scheduled to consider DART's budget. This joint report from the City Attorney and Police Chief provides some information about DART's activities during the past six months and identifies potential budget issues for your consideration.

On October 20, 1990, the City Council expanded the staff of the City Attorney and Police Department to develop a full-time drug abatement program. DART is a multi-department task force which targets properties throughout the city that have been continuously used for illegal drug activities. DART's legal authority is based solely upon the California Drug Abatement Act--section 11570 of the California Health and Safety Code. This statute makes the property owner or tenant responsible for repeated drug activities that amount to a public nuisance.

STAFF AND FUNDING

As a result of this mid-year adjustment, DART currently consists of the following positions:

- 1 Deputy City Attorney*
- 1 Legal Assistant
- 1 Legal Secretary
- 1 Police Detective
- 1 Building Inspector
- 1 Community Resource Specialist

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6 total positions

*Only half of the deputy city attorney position is paid from the DART Revenue Account. The remaining half was paid from a one (1) year grant from the Office of Criminal Justice Planning (OCJP) which expires on June 30, 1991. For fiscal year 1992 the General Fund will pay for the remaining half of this deputy position as part of the City Attorney's budget.

The cost for DART is supported from a \$1.00 surcharge to the Building Inspection Department's Housing Permit Fee. Building Inspection originally estimated \$265,000 from the surcharge for fiscal year 1991, however, they have collected only \$220,000. This shortfall could pose a

problem for next fiscal year unless additional revenues can be designated for DART. DART's budget for fiscal year 1992 is \$280,000. One possible source is DART funds which were not expended in fiscal year 1991. They could be carried forward to be used solely for DART purposes in fiscal year 1992. This would temporarily resolve the shortfall and permit DART to cover the costs of the Building Inspector for at least one (1) year.

WORK LOAD AND ACTIONS

During the last six (6) months the City Attorney and Police Department have refined the operating procedures for DART. A new manual was developed by the Police and City Attorney to streamline the processing of drug abatement cases.

On April 3, 1991, DART's Drug Abatement Task Force held its quarterly meeting. The Task Force helps to facilitate communication between the various city departments to discuss strategy and concerns in the processing of drug abatement cases. Members include the City Attorney's Code Enforcement Unit, Police Department Special Operations, City Manager's Code Enforcement Coordinator, Building Inspection, Planning and the Fire Departments. The next quarterly meeting is set for July.

As a result of personnel changes and the development of new procedures, DART has not quite reached its full potential. The number of cases should dramatically increase for the next fiscal year. In the past five (5) months DART has investigated eighty-nine (89) cases. Thirty-nine (39) of these cases were closed as a result of the property owner's efforts to voluntarily abate the drug activities; twenty-nine (29) of these cases were referred to other police department units, and three (3) cases were referred to the City Attorney. As of June 1, 1991, DART had a total of eighteen (18) open cases. Eight (8) active cases are either in court or being prepared for civil litigation by the City Attorney.

As part of the OCJP grant, the City Attorney conducted a one (1) day workshop for cities to assist in the development of their drug abatement teams. Over eighty-five (85) participants attended the training seminar from thirty (30) different cities and counties including staff from the Attorney General's Office. The participants included supervisors from various departments including police, city managers, code enforcement inspectors and city attorneys.

DART is now preparing the request for proposal (RFP) for the Community Resource Specialist. This innovative position will assist the City Attorney and the Police in rehabilitating properties in complex abatement cases where the owners have no resources to control their property. The Community Resource Specialist will attempt to coordinate private and public resources to assist DART in achieving a more "permanent" abatement of the drug activities. We anticipate this position will be filled sometime in July, 1992.

GOALS

At this stage DART's primary goal is to enhance the processing of

abatement cases by following the new procedures outlined in the manual. Only by a coordinated effort between the City Attorney, Police, Building Inspection, Fire and Planning Departments can DART effectively and efficiently abate these locations.

One of the strategies that DART hopes to implement is the targeting of certain streets and neighborhoods. In addition to abating properties on a complaint basis, DART's long range goal is to focus its efforts in those neighborhoods with a high concentration of drug activities. This pro active approach maximizes DART's limited resources and provides a more comprehensive strategy in abating the drug related nuisances.

Sincerely yours,
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RC-91-31

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